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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/783,200	02/19/2004	Mitsuaki Moritani	088485-0244	6172

23392 7590 10/11/2007

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EXAMINER	
LU, KUEN S	
ART UNIT	**PAPER NUMBER**
2167	

MAIL DATE	DELIVERY MODE
10/11/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary	Application No.	Applicant(s)	
	10/783,200	MORITANI ET AL.	
	Examiner	Art Unit	
	Kuen S. Lu	2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 August 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,21 and 22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,21 and 22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☒ Claim(s) *5-20* are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This Action is to respond to Applicant's election filed 8/6/2007 in which Applicants elected group I, claims 1-4 and 21-22.

2. Please note claims 1-4 and 21-22 are examined, rejected and pending.

Response to Arguments

3. As to Applicant's Arguments, filed on 8/6/2007, has been fully considered, please see discussion below:

At Page 8-10, concerning claim 1, Applicant argued that the cited reference(s) does not teach "collection processing unit ...".

Concerning above argument, Examiner respectfully submits that the Yamauchi reference does clearly teach collection processing unit and all other described in the limitation. Note content has been stored in Yamaguchi's system, it must be collection unit somewhere, otherwise, how could content be stored without collection? Also note content types are part of content attributes. Content is converted and stored in Yamaguchi's system teaches contents stored in different specific forms in storage devices. Based on Applicant's continuous arguments and Appeal Brief conference's decision on "collection processing unit", Examiner now introduces and combines an additional reference by Weight. Examiner also derives motivations from the references for combining the references.

At Page 8-10, concerning claim 1, Applicant continued to argue that reference(s) cited does not teach any single limitation of claim 1, including "a conversion unit ..." and "an output unit".

Concerning the argument after argument, Examiner respectfully submits that the arguments are not persuasive and maintains the same grounds for rejections as set forth.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is 3advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4.1. Claims 1-4 and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamauchi et al. (U.S. Patent Application 2003/0154390, hereafter "Yamauchi") in view of Weight (U.S. Patent Application 2003/0023638) and further in view of Tayebi et al. (U.S. Patent Application 2003/0163724, hereafter "Tayebi").

As per claim 1, Yamauchi teaches "A content information management apparatus" (See Fig. 3 and Page 6, [0087] where a content distribution system is described).

Concerning "a collection processing unit which collects content information items indicating attributes of contents stored in different specific forms in storage devices connected to networks", Yamauchi teaches a storing section stores content, content is

converted and stored into another format, and a content recording management section identifies content types and transmits content to the network-connected terminal devices where the content should be stored (See Fig. 3, [0066], [0068] and [0071]).

Noted is the content Yamauchi teaches has been already collected and stored.

However, Weight teaches "a collection processing unit which collects content information items indicating attributes of contents stored in different specific forms in storage devices connected to networks" (See Fig. 5, Table 1.1, [0035] and [0042] where a content collector of a content server is the collection processing unit collects content from content provider or web server, based on information provided by content provider indicating content stored at different locations and of different attributes).

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine the teaching of Weight with Yamauchi reference by implementing content collection unit for collecting content from provider or web server at multiple channels to Yamauchi's system because both references are directed to content storage and delivery services and the combined teaching of the two references would have enabled a content delivery system of multiple terminal devices to efficiently collect and distribute content to users.

The combined teaching of Weight and Yamauchi references does not explicitly teach that the storage devices connected to networks "using different protocols".

However, Tayebi teaches storage devices connected together in accordance with known network protocols (See Page 9, [0122]).

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine the teaching of Tayebi with Weight and Yamauchi references by storing content on storage devices based on network protocols because both references are directed to content distribution where Yamauchi utilizes different networks for user, content distribution and content management wherein network types are different and device must store pre-determined content while Tayebi teaches devices connected to network in accordance with network protocols for effectively distribution of content on a secure, reliable and trustworthy network link, and the combined teaching of the references would have enabled Yamauchi's system to increase transmission capability on a more secure, reliable and trustworthy network link (See BACKGROUND OF THE INVENTION of the references).

The combined teaching of the Tayebi, Weight and Yamauchi references further teaches the following:

"a conversion processing unit which converts each of the content information items collected by the collection processing unit into content information of a standardized form" (See Yamauchi: Page 5, [0068] where content is converted from one format to another for storage); and

"an output unit which outputs the content information of the standardized form converted by the conversion processing unit" (See Yamauchi: Pages 6-7, [0068] and [0089] where MPEG 2 format is converted into MPEG4 format and both content formats are for displaying on television output device and the content receiving section receives contents and monitors content on monitor screen, an output unit).

As per claim 21, Yamauchi teaches "A content information management apparatus" (See Fig. 3 and Page 6, [0087] where a content distribution system is described).

Concerning "collection processing means for collecting content information items indicating attributes of contents stored in different specific forms in storage devices connected to networks", Yamauchi teaches a storing section stores content, content is converted and stored into another format, and a content recording management section identifies content types and transmits content to the network-connected terminal devices where the content should be stored (See Fig. 3, [0066], [0068] and [0071]).

Noted is the content Yamauchi teaches has been already collected and stored.

However, Weight teaches "collection processing means for collecting content information items indicating attributes of contents stored in different specific forms in storage devices connected to networks" (See Fig. 5, Table 1.1, [0035] and [0042] where a content collector of a content server is the collection processing unit collects content from content provider or web server, based on information provided by content provider indicating content stored at different locations and of different attributes).

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine the teaching of Weight with Yamauchi reference by implementing content collection unit for collecting content from provider or web server at multiple channels to Yamauchi's system because both references are directed to content storage and delivery services and the combined teaching of the two

references would have enabled a content delivery system of multiple terminal devices to efficiently collect and distribute content to users.

The combined teaching of Weight and Yamauchi references does not explicitly teach that the storage devices connected to networks "using different protocols".

However, Tayebi teaches storage devices connected together in accordance with known network protocols (See Page 9, [0122]).

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine the teaching of Tayebi with Weight and Yamauchi references by storing content on storage devices based on network protocols because both references are directed to content distribution where Yamauchi utilizes different networks for user, content distribution and content management wherein network types are different and device must store pre-determined content while Tayebi teaches devices connected to network in accordance with network protocols for effectively distribution of content on a secure, reliable and trustworthy network link, and the combined teaching of the references would have enabled Yamauchi's system to increase transmission capability on a more secure, reliable and trustworthy network link (See BACKGROUND OF THE INVENTION of the references).

The combined teaching of the Tayebi, Weight and Yamauchi references further teaches the following:

"conversion processing means for converting each of the content information items collected by the collection processing means into content information of a standardized

form" (See Yamauchi: Page 5, [0068] where content is converted from one format to another for storage); and

"means for outputting the content information of the standardized form converted by the conversion processing means" (See Yamauchi: Pages 5-7, [0068] and [0089] where content of MPEG 2 format is converted into MPEG4 format and both content formats are for displaying on television output device and the content receiving section receives contents and monitors content on monitor screen).

As per claim 22, Yamauchi teaches "A content information management apparatus" (See Fig. 3 and Page 6, [0087] where a content distribution system is described) comprising:

"a data processing unit operative under program control" (See [0066] where storing section reading out content is a processor function) for performing following steps.

Concerning "(1) collecting content information items indicating attributes of contents stored in different specific forms in storage devices connected to network", Yamauchi teaches a storing section stores content, content is converted and stored into another format, and a content recording management section identifies content types and transmits content to the network-connected terminal devices where the content should be stored (See Fig. 3, [0066], [0068] and [0071]).

Noted is the content Yamauchi teaches has been already collected and stored.

However, Weight teaches "(1) collecting content information items indicating attributes of contents stored in different specific forms in storage devices connected to

networks" (See Fig. 5, Table 1.1, [0035] and [0042] where a content collector of a content server is the collection processing unit collects content from content provider or web server, based on information provided by content provider indicating content stored at different locations and of different attributes).

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine the teaching of Weight with Yamauchi reference by implementing content collection unit for collecting content from provider or web server at multiple channels to Yamauchi's system because both references are directed to content storage and delivery services and the combined teaching of the two references would have enabled a content delivery system of multiple terminal devices to efficiently collect and distribute content to users.

The combined teaching of Weight and Yamauchi references does not explicitly teach that the storage devices connected to networks "using different protocols".

However, Tayebi teaches storage devices connected together in accordance with known network protocols (See Page 9, [0122]).

However, Tayebi teaches storage devices connected together in accordance with known network protocols (See Page 9, [0122]).

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine the teaching of Tayebi with Weight and Yamauchi references by storing content on storage devices based on network protocols because both references are directed to content distribution where Yamauchi utilizes different networks for user, content distribution and content management wherein

network types are different and device must store pre-determined content while Tayebi teaches devices connected to network in accordance with network protocols for effectively distribution of content on a secure, reliable and trustworthy network link, and the combined teaching of the references would have enabled Yamauchi's system to increase transmission capability on a more secure, reliable and trustworthy network link (See BACKGROUND OF THE INVENTION of the references).

The combined teaching of the Tayebi, Weight and Yamauchi references further teaches the following:

"(2) converting each of the content information items collected by the collection processing unit into content information of a standardized form" (See Yamauchi: Page 5, [0068] where content is converted from one format to another for storage); and "outputting the converted content information of the standardized form" (See Yamauchi: Pages 5-7, [0068] and [0089] where content of MPEG 2 format is converted into MPEG4 format and both content formats are for displaying on television output device and the content receiving section receives contents and monitors content on monitor screen).

As per claim 2, the combined teaching of the Tayebi, Weight and Yamauchi references teaches "the conversion processing unit includes a plurality of conversion processors which are provided according to types of the networks to be connected" (See Yamauchi: Page 5, [0068] and Page 7, [0101] where computer system includes processing machines and processing systems, and content is converted from one

format to another for storage, and Tayebi: Page 9, [0122] where storage devices connected together in accordance with known network protocols).

As per claim 3, the combined teaching of the Tayebi, Weight and Yamauchi references teaches "collection processing unit comprises a plurality of collection processors which collect said content information items from the storage devices connected to corresponding ones of the networks" (See Yamauchi: Page 5, [0068] and Page 7, [0101] where computer system includes processing machines and processing systems and at Fig. 3 and Pages 4-6 wherein [0066] shows content storing section stores content and wherein [0071] content recording management section identifies content types and transmits content to the network-connected terminal devices where the content should be stored).

As per claim 4, the combined teaching of the Tayebi, Weight and Yamauchi references teaches "an information creating unit which creates information by unifying content information items of each standardized form output from each of the plurality of collection processors" (See Yamauchi: Page 5, [0068] and Page 7, [0101] where computer system includes processing machines and processing systems and at Fig. 3 and Pages 4-6 where [0066] shows content storing section stores content and at Page 8, [0103] where content is bit-separated into sub-contents and stored to different terminal devices and recovered as original at a storage section).

Conclusion

5. The prior art made of record

A. U.S. Patent Application 2003/0154390

B. U.S. Patent Application 2003/0163724

G. U.S. Patent Application 2003/0023638

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

C. U.S. Patent Application 2002/0083201

D. U.S. Patent No. 7,047,285

E. U.S. Patent Application 2003/0097399

F. U.S. Patent No. 6,182,084

Contact Information

6. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Kuen S. Lu whose telephone number is (571)-272-4114. The examiner can normally be reached on Monday-Friday (8:00 am-5:00 pm).
If attempts to reach the examiner by telephone pre unsuccessful, the examiner's Supervisor, John Cottingham can be reached on (571)-272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for Page 13 published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-27-9197 (toll free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, please call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kuen S. Lu,

Patent Examiner, Art Unit 2167

September 30, 2007